

CHAPTER 5: IMPLEMENTATION STRATEGIES

EXECUTIVE SUMMARY

Chapter 5 builds on the goals and objectives in this Comprehensive Plan, “the Plan,” and presents a “road map” of specific actions Williamson County should take to achieve the Plan’s land use vision for the future. The strategies are organized around five “core” Plan elements or themes:

- Land Use Patterns;
- Coordinating the Availability of Public Facilities with Development
- Open Space Protection;
- Natural Resource Protection; and
- Historic/Cultural Resource Protection.

In the summary below, the Plan objectives are shown under each core element or theme, followed by a summary list of the general strategies recommended to achieve the objectives. The detailed strategies and implementation actions are described in each section.

The implementation strategies include regulatory and non-regulatory actions, ranging from revisions to the Williamson County Zoning Ordinance to funding initiatives for infrastructure and open space lands, to focused public education efforts. Specific strategies intended to implement one element of the Plan often perform “double-duty” in advancing the Plan’s objectives under a different element of the Plan. In addition, the strategies purposefully complement each other – the implementation of one strategy often supports other strategies.

Each of the implementing strategies is described in more detail in the remainder of this Chapter.

1. LAND USE PATTERNS.

- a. **Objective: Encourage Compact Growth in Suburban Infill and Conservation Areas and in Municipal Growth Areas (MGAs).**

Strategy: Maintain suburban development character within the Planned Growth Areas 1, 2, and 3.

Strategy: Encourage greater coordination between the County and Cities regarding land uses, zoning, and development policies in Municipal Growth Areas while the land is still under the County’s zoning jurisdiction.

Strategy: Improve the quality of development in suburban and urban areas.

- b. **Objective: Maintain Rural Character in Rural Preservation Areas.**



Strategy: Ensure densities in the Rural Preservation Area are consistent with rural character, and in instances where single-family residential development occurs it is consistent with the form and densities needed to support rural character.

Strategy: Ensure land uses and activities in the Rural Preservation Area will enhance the rural economy and preserve rural character.

Strategy: Allow a broader array of temporary rural support uses by right in Rural Preservation Areas.

Strategy: Educate and assist landowners about their development options in Rural Preservation Areas.

Strategy: Broaden hillside standards to reflect the community's aesthetic and character-based interests in protecting hillsides and ridgetops.

Strategy: Adopt view shed protection standards along the County's key historic roads.

Strategy: Preserve the character and integrity of existing villages through the creation of specific plans and tailored development and design standards in a new Rural Village Zoning District.

Strategy: Enhance the regulatory protection of existing hamlets through creation of a new Hamlet Zoning District.

Strategy: Develop a specific set of actions to address the use of alternative sewer systems in Rural Preservation Areas.

2. COORDINATING THE AVAILABILITY OF PUBLIC FACILITIES WITH DEVELOPMENT.

a. Objective: Coordinating the Provision of Public Facilities with Growth.

Strategy: Update the major thoroughfare plan, based on the Plan, so it provides infrastructure consistent with the land use patterns and densities provided in the Plan.

Strategy: Prepare Capital Improvement Plans (CIPs) for transportation facilities and park facilities that provide infrastructure consistent with the land use patterns and densities provided in the Plan.

Strategy: Establish policies that only allow new development where there will be adequate transportation, potable water, wastewater, and park facility capacity to serve the development.

b. Objective: Paying for Growth.

Strategy: Establish a multi-dimensional strategy by which the transportation facilities and park facilities needed to accommodate new growth and development are funded.



3. OPEN SPACE PROTECTION.

a. Objective: Plan for Open Space.

Strategy: Prepare an Open Space Plan for the County that coordinates existing policies and programs for open space preservation and links conservation and open space lands.

Strategy: Explore the establishment of dedicated funding sources for open space lands.

b. Objective: Preservation of Open Space in the Rural Preservation Area.

Strategy: Preserve open space in the Rural Preservation Area through zoning and land use controls.

c. Objective: Preserve Open Space in the Urban and Suburban Areas.

Strategy: Preserve open space in the municipal growth areas through zoning and land use controls.

Strategy: Preserve open space in the suburban areas through zoning and land use controls.

4. NATURAL RESOURCE PROTECTION.

a. Objective: Protect Natural Resources Throughout the County.

Strategy: Conserve and protect natural resources through enhanced zoning and land use controls.

Strategy: Conserve and protect natural resources through cooperation with non-governmental stakeholders.

Strategy: Develop other non-regulatory programs for natural resource conservation and protection.

5. HISTORIC/CULTURAL RESOURCE PROTECTION.

a. Objective: Protect Historic and Cultural Resources Throughout the County.

Strategy: Approach historic and cultural resource protection comprehensively.

Strategy: Conserve and protect historic/cultural resources through enhanced zoning and land use controls.

LAND USE PATTERNS

ENCOURAGE COMPACT GROWTH IN SUBURBAN INFILL AND CONSERVATION AREAS AND IN THE MUNICIPAL GROWTH AREAS (MGAS)

One of the overriding goals of the Comprehensive Plan is to encourage new development in the unincorporated County within the Planned Growth Areas (PGAs) and the Municipal Growth Areas (MGAs) around the cities at suburban and urban



densities. This issue is particularly challenging today within the MGAs due to the absence of a consistent and coordinated land use and infrastructure policy, shared by the County and the municipalities, for handling development within these areas.

A second important Plan goal is to ensure the quality of both suburban and urban development that occurs is improved, in terms of both form and aesthetics.

Another important Plan goal is to provide a framework that allows opportunities for new high-quality residential, office, and retail development that is suburban in character, and consistent with historical development patterns, at the 840 interchange at Triune within PGA 5. The quality framework created should include functional standards to address traffic circulation, access management, stormwater management, and other public facility requirements, as well as aesthetic standards related to quality of design and site layout. The framework should also be designed so that it can be used by the County at other appropriate 840 Centers (interchanges) in the future, as appropriate. Establishment of any additional 840 Centers would require this Plan to be amended.

At present, most lands within the Suburban Infill and Conservation Areas and PGA 5 are classified Suburban Estate (SE) in the Zoning Ordinance.¹ The SE Zoning District allows a maximum density of one dwelling unit for each one acre, subject to possible reductions to protect on-site natural resources and to account for limited transportation system capacity. The SE Zoning District allows single-family residential development as the primary use. Only limited commercial uses are allowed, and restaurants and hotels are prohibited. A standard single-family development is not required to set aside any open space, except under Resource Conservation Development standards, where single-family development must set aside a minimum of 30 percent of the land area as open space to protect on-site resources. Under the *Planned* Resource Conservation Development standards, in exchange for flexibility in lot sizes, single-family development must set aside a minimum of 50 percent of the land area as open space reserved to protect resources.

Currently, the large majority of lands in the unincorporated areas of the MGAs are also classified SE. The balance of lands within the MGAs are classified either Neighborhood Conservation (NC) or Suburban (S). As is discussed above, the SE Zoning District allows primarily single-family residential development at a maximum density of one (1) dwelling unit for each one (1) acre. The NC Zoning District is intended to preserve the character of stable and fixed neighborhoods and development in existence at the time of adoption of the Zoning Ordinance in 1988 to ensure these neighborhoods and the development do not become nonconforming.

¹ A small portion of the lands are classified Neighborhood Conservation (NC) Zoning District, which is intended to preserve the character of stable and fixed neighborhoods and development in existence at the time of adoption of the Comprehensive Plan in 1988, and to ensure these neighborhoods and this development does not become nonconforming.



The S Zoning District is intended to provide for moderate intensity residential, commercial, office, and industrial development served by wastewater treatment facilities. Single family development is allowed by right at a maximum density of up to three (3) dwelling units for each one (1) acre. Multi-family residential development is also allowed as a conditional use.² In addition, office, heavy retail/services, restaurants, and hotels are allowed by right, and shopping centers, light industrial uses, and mixed use developments are allowed as a conditional use.

To achieve high quality compact development within the County's designated growth areas (i.e., the PGAs and the MGAs), the following implementation strategies are recommended:

1. **ENCOURAGE GREATER COORDINATION OF LAND USE, ZONING, AND DEVELOPMENT POLICIES IN MUNICIPAL GROWTH AREAS BETWEEN THE COUNTY AND MUNICIPALITIES.**
 - Seek consensus with the cities on permitted uses, development intensity, and provision of infrastructure within the MGAs. To achieve better coordination of land use and infrastructure policy between unincorporated lands and city lands within the MGAs, within 12 months of the adoption of the Comprehensive Plan, the County will meet with representatives of each of the cities in an effort to reach agreement on coordinated land use and infrastructure policies (in particular those related to transportation, wastewater, and potable water) within the respective MGAs. The optimum goal should be:
 - o Agreement between the County and each of the individual cities that unincorporated lands within the MGAs only be developed at urban and suburban densities if and when they are annexed into the cities so that city infrastructure can be applied to the development; and
 - o The cities take primary responsibility for setting policy, planning for, and funding urban-level infrastructure within the MGAs.
2. **DEVELOP A SPECIAL AREA PLAN AND SUBSEQUENT NEW ZONING DISTRICT(S) FOR THE 840 CENTER AT TRIUNE.**
 - Within 12 months of adoption of this Comprehensive Plan, a Special Area Plan will be completed for the 840 Center at Triune within PGA 5. Its intended purpose will be to provide for moderate

² A conditional use must be applied for and reviewed and approved, approved with conditions, or disapproved at a public hearing by the Planning Commission.

intensity, high-quality residential, office, and commercial development that is consistent with historical development patterns, and served by wastewater treatment facilities. The Special Area Plan will define the specific boundaries of the 840 Center and will include detailed recommendations regarding desired land use patterns as well as the appropriate scale, intensity and design of future development within this area. In concert with the Special Area Plan or within 6 months of its adoption, text amendments will be adopted in the Zoning Ordinance creating a new 840 Center Zoning District(s) for the area. This Zoning District(s) will be designed to implement the vision, goals and objectives set forth in the Special Area Plan and should include standards related to community form as well as the design and layout of new residential, commercial, mixed use, and large retail development, consistent with historical development patterns. The 840 Center Zoning District(s) will be designed so it/they can be applied, with modifications as appropriate, to other 840 Centers the County determines are necessary in the future through amendments to the Plan and following the preparation and adoption of Special Area Plans for those areas.

3. DEVELOP A SPECIAL AREA PLAN AND TAILORED DEVELOPMENT AND DESIGN STANDARDS FOR THE GRASSLAND VILLAGE IN PGA 2.

As discussed more fully later in this chapter, within 5 years after the adoption of the Comprehensive Plan, the County will complete Special Area Plans for the four designated villages, including the Grassland Village, within PGA 2. Following the adoption of the Special Area Plan, tailored development and design standards will be developed to reflect the plan's findings and recommendations and to ensure a development form that is consistent with the character of the village.

4. ENCOURAGE QUALITY INFILL DEVELOPMENT IN THE SUBURBAN INFILL AND CONSERVATION AREA.

A large percentage of the land within the Suburban Infill and Conservation Area has been developed with a suburban land use pattern and character. This area should continue to develop in a manner consistent with the established land use pattern, with special emphasis on open space preservation and natural resource protection.

- Within 18 months of the adoption of the Comprehensive Plan, the Zoning Ordinance should be amended to include a set of enhanced Community Design Standards that address issues unrelated to buildings, such as street design, internal street connectivity, external



street connectivity, access to lots, block design, and open space preservation.

- Because the Suburban Infill and Conservation Area is currently served by a number of traditional sanitary sewer providers, alternative sewer systems should not be permitted in this area.

MAINTAIN RURAL CHARACTER IN RURAL PRESERVATION AREA

The Plan categorizes the majority of land in the County as “Rural Preservation.” The long-range goal for the Rural Preservation Areas is to maintain and encourage the predominantly agricultural, equestrian, and rural economic uses, interspersed with low-density, single-family residential uses that are consistent with the rural character of the area. It is important to recognize that single family residential uses are not expected to be the primary use in the Rural Preservation Areas. Instead, single family residential uses are intended to be secondary to uses that are consistent with a rural character – agricultural, equestrian, and rural economic uses.³ In addition, and to ensure when single-family residential development occurs it is consistent with the desired rural character of the area, single-family residential development must tread lightly on the rural landscape through development either on very large lots or development in a form that is consistent with the rural landscape – with significant amounts of open space and the maintenance of natural features on the site, supported by infrastructure that is consistent with the rural landscape (conservation subdivision principles).

Lands designated in the Plan as Rural Preservation are currently classified as Rural (R), Estate (E), or Suburban Estate (SE) under the Zoning Ordinance. The R and E Zoning Districts allow a maximum residential density of one (1) dwelling unit for each five (5) acres. The SE Zoning District allows a maximum density of one (1) dwelling unit for each one (1) acre.

The R and E Zoning Districts both allow a wide variety of agricultural uses “by right,”⁴ while the SE Zoning District allows most agricultural uses only as conditional uses.⁵ All three zoning districts allow single-family residential uses and related accessory uses by right, although accessory dwellings are permitted only as special uses.⁶ Bed and

³ The Comprehensive Plan is clear that the total amount of unincorporated land is already many times more than enough to accommodate the County’s planned population growth over the next 25 years.

⁴ A use permitted “by right” gives a property owner the right to establish the use without having to go through a discretionary review process, such as a conditional use or rezoning, which requires a public hearing before the Planning Commission or Board of County Commissioners. A “by right” use, however, must still comply with all applicable zoning standards and building/safety code requirements.

⁵ Conditional uses are allowed only after Planning Commission review and approval at a public hearing.

⁶ Special uses are allowed only after Board of Zoning Appeals review and approval at a public hearing.



breakfast inns are allowed as conditional uses in all three districts. The R, E and SE Zoning Districts allow a few non-residential uses. Restaurants and hotels are prohibited. Residential businesses, animal boarding facilities, commercial stables, and dude ranches are allowed only as conditional uses. "Agricultural support" uses are only allowed in the R Zoning District.⁷ Industrial uses are not permitted to any significant degree in the three zones. Single-wide mobile homes are only allowed in the R Zoning District.

Single-family residential development is treated identically under the R and E Zoning Districts. For a standard single-family development that is not constrained by the presence of significant on-site natural resources, both zones require no set-aside of land for open space. Similarly, in the SE district, a standard single-family development is not required to set aside any open space. Under Resource Conservation Development standards (i.e., to protect significant resources on-site), a single-family development in the R and E districts is required to set aside a minimum of 60 percent of the land area as open space, and in the SE district the minimum set-aside for Resource Conservation Developments is 30 percent. The primary differences between the three zones' treatment of single-family development is minimum lot size (R and E require approximately five (5) acre lots, while SE requires a minimum of one (1) acre), and the ability to develop under the *Planned* Resource Conservation Development standards in the SE district with a 50 percent open space set-aside.

Given this context, in order to implement the Plan's goals of maintaining rural character in the Rural Preservation Areas, the County will take the following actions:

5. ENSURE SINGLE-FAMILY RESIDENTIAL DEVELOPMENT IS CONSISTENT WITH THE DESIRED RURAL CHARACTER.

Within 18 months of adoption of the Plan, the Zoning Ordinance will be amended to address the form and character of single-family residential development in the following ways:

- **Update land use controls on lands currently zoned Rural (R) and Estate (E) to preserve the rural character.** Text amendments will be adopted that replace the Rural (R) and Estate (E) Zoning Districts with a single, new "Rural Preservation" District that implements the Plan's Rural Preservation Area development policies. Simultaneous zoning map amendments will be adopted that apply the new Rural Preservation District to all unincorporated lands within the R and E

⁷ "Agricultural support uses" are defined in the current Zoning Ordinance to include farm implement dealers, farm stands (including the sale of agricultural products NOT grown on-site), and businesses falling within the "Agricultural support" SIC Code Number 07. The latter SIC Code (since superseded by the 1997 NAICS industry codes 1151 and 1152) includes support activities for crop production (e.g., crop harvesting services, post-harvest crop preparation) and support activities for animal production (e.g., animal breeding services, farriers).



District (primarily the western portion of the Rural Preservation Area). The single-family residential densities and related open space set-aside requirements for the new Rural Preservation District will take one of the following forms:

- *Option 1 (Status Quo with Mandatory and Enhanced Conservation Subdivision):* The maximum single-family residential gross density allowed will be one (1) dwelling unit for each five (5) acres. Single-family development may occur through one of two development options, by right. They are: (1) A conservation subdivision with a minimum 60 or 65 percent open space set-aside. The conservation subdivision provision will require maintenance of natural features on the site (within the set-aside area), and encourage the maintenance of rural activities and uses by allowing many of them to continue within the open space set-aside. (2) A traditional subdivision form subject to review and approval as a special exception and subject to modified lot width (e.g. 400') and setback (200') standards. These options are similar to the existing R and E zoning approach in terms of densities, but require options to ensure development form is more consistent with rural character.
- *Option 2 (Density Reduction with Voluntary Conservation Subdivision Option Available to "Gain Back" Density and Value):* The maximum single-family residential gross density allowed will be one (1) dwelling unit for each fifteen (15) acres for traditional large lot single family development. The regulations, however, would provide the landowner a development option that allows an increase in gross development density to one (1) dwelling unit for each 7.5 acres with a conservation subdivision design incorporating a minimum 70 percent open space. As discussed above, the conservation subdivision provision will require maintenance of natural features on the site (within the set-aside area) and encourage the maintenance of rural activities and uses by allowing many of them to continue within the open space set-aside.

Under this Option 2, the County will also explore the creation of a Purchase of Development Rights (PDR) program and Transfer of Development Rights ("TDR") program. The PDR program is a program initiated by the county to purchase development rights on rural lands. Rural lands on which development rights are purchased would be allowed

to continue any on-going agricultural activities, but conservation easements are placed on the land to ensure residential or urban development cannot occur (See Appendix 2 for a description of a typical PDR program.). The TDR program could potentially mitigate the loss of prospective development yield. Under a TDR program, in return for permanently preserving lands as open space or in agricultural uses, a landowner in the Rural Preservation Area could sell development rights to a landowner in the Suburban and Infill Conservation Area or within the MGAs seeking additional density where allowed by the County (or possibly a participating city). (See Appendix 3 for a description of a typical TDR program.)

- **Update land use controls in lands currently zoned Suburban Estate (SE) within the Rural Preservation Area.** Within 18 months of adoption of the Plan, the Zoning Ordinance will be amended to address the form and character of single-family residential development on lands currently zoned SE and located within the Rural Preservation Area (primarily the east portion of the Rural Preservation Area) in one of the following ways:
 - o *Option 1 (Status Quo with Mandatory and Enhanced Conservation Subdivision Mechanism):* All SE zoned lands within the Rural Preservation Areas would retain their current permitted range of allowed uses and a maximum residential density of one (1) dwelling unit for each one (1) acre. However, the regulations would allow the developer an option to develop under a conservation subdivision option that allows lot variation.
 - o *Option 2 (Density Reduction with Voluntary Conservation Subdivision Option Available to "Gain Back" Density and Value; and Possible PDR or TDR Program to Mitigate Impact of Density Reduction):* The maximum single-family residential gross density allowed will be one (1) dwelling unit for each five (5) acres for traditional large lot single family development. The regulations, however, would provide the landowner a development option that allows an increase in gross development density to one (1) dwelling unit for each three (3) acres with a conservation subdivision design incorporating a minimum 65 percent open space. As discussed above, the conservation subdivision provision will require maintenance of natural features on the site (within the set-aside area) and encourage the maintenance of



rural activities and uses by allowing many of them to continue within the open space set-aside.

Under this option, the County will also explore the creation of a Purchase of Development Rights (PDR) program and Transfer of Development Rights ("TDR") program. The PDR program is a program initiated by the county to purchase development rights on rural lands. The rural lands on which development rights are purchased are allowed to continue any on-going agricultural activities, but conservation easements are placed on the land to ensure residential or urban development cannot occur (See Appendix 2 for a description of a typical PDR program.). The TDR program could potentially mitigate the loss of prospective development yield,. Under a TDR program, in return for permanently preserving lands as open space or in agricultural uses, a landowner in the Rural Preservation Area could sell development rights to a landowner in the Suburban and Infill Conservation Area or within the MGAs seeking additional density where allowed by the County (or possibly a participating city). (See Appendix 3 for a description of a TDR program.)

6. ENSURE LAND USES AND ACTIVITIES IN THE RURAL PRESERVATION AREA WILL ENHANCE THE RURAL ECONOMY AND PRESERVE RURAL CHARACTER.

As discussed earlier in this section, preserving rural character means being proactive about what land uses and activities – permanent and temporary – should be allowed and prohibited in the Rural Preservation Area. To ensure this occurs, the Zoning Ordinance will be amended to accomplish three goals:

- (1) Make it easy to develop uses that are fundamental to a vibrant rural economy and that are supportive of rural character;
- (2) Make it more difficult to establish uses that have the potential to negatively affect the rural economy or character in some (but not all) cases; and
- (3) Prohibit uses that are detrimental to a vibrant rural character.

To implement these goals, within 18 months of the adoption of the Plan, the Zoning Ordinance will be amended as follows:

- **Adopt a voluntary Agricultural Zoning District to support rural agricultural enterprises.** A new "Agricultural" Zoning District will be created to protect the long-term viability or feasibility of active agricultural enterprises in specific areas across Williamson County. This zone will allow very limited residential uses at very low densities,



with an emphasis on encouraging agricultural and agricultural support uses without concern of creating potential compatibility conflicts.

- The application of this new Agricultural district could be entirely voluntary, upon petition of a rural landowner. The zone should be available to all landowners in the Rural Preservation Area.
 - The Agricultural district should require a maximum residential density of one (1) dwelling unit for each thirty (30) acres to achieve its intent.
- **Allow a wide variety of basic agricultural and agricultural support uses in the Rural Preservation Area.** In the new Rural Preservation District, basic agriculture uses and agricultural support uses will be allowed by right subject to performance standards necessary to mitigate any potential for off-site, adverse impacts.
 - Basic agricultural uses include agriculture, horticulture, animal husbandry and equestrian activities.
 - Agricultural support uses are support businesses (repair, service, retail, and related uses) related to the basic agricultural uses and activities. The support businesses are further divided into those that are directly associated with an on-going basic agricultural activity, and located on the same property, versus a support business that is off-site. Off-site support businesses should be small-scale in nature, and may include such uses as farm product sales, farm machinery repair and leasing. Larger-scale support operations should be directed into the Villages and PGAs. In addition, demonstration farms and agricultural museums should be considered as legitimate off-site support businesses, since they support basic agriculture and tourism. Animal services (e.g., veterinary services and animal hospitals) are also considered agricultural support businesses.
 - As needed, performance standards will address potential external impacts as well as ensure the maintenance and preservation of the agricultural and rural character of the area. The types of potential impacts identified that might need to be addressed include: access/traffic, location of the use on the land (setbacks); the size/bulk of the use in relation to other uses; impact on rural character (e.g., height,

visibility); and environmental impacts (such as noise and lighting).

- **Expand by right nonresidential service and tourism uses, subject to performance and location criteria.** Examples of such uses could include new equestrian centers and boarding facilities, event facilities, nurseries, conference centers, corporate retreats and training facilities, heritage and rural tourism destinations, farmer's markets, and bed and breakfasts.
- **Allow and encourage adaptive reuse of existing farm structures.** Such structures can be adapted for basic agriculture, support agriculture and small-scale on-site businesses.
- **Continue to allow basic public and institutional uses if they are compatible with neighboring uses.** New uses and expansions to existing institutional uses should continue to be allowed if the expansion is compatible with neighboring uses and the necessary infrastructure and supporting or ancillary activities can be provided cost effectively.

7. ALLOW A BROADER ARRAY OF TEMPORARY RURAL SUPPORT USES BY RIGHT IN RURAL PRESERVATION AREAS.

Special events related to agricultural activities and tourism are common in rural areas. They include fairs, craft shows, art shows, winery events, battle reenactments, equestrian shows and events, festivals, rodeos, corporate receptions, mazes, and other related "agritainment." The County will encourage these events, since they are an important aspect of the rural and agri-tourism industry. At the same time the County will carefully evaluate special event uses to ensure any external impacts are substantially mitigated.

To address these concerns, within 18 months of adoption of the Plan, the County will analyze the Special Event Permit division of the Zoning Ordinance for the opportunity to broaden the types of Temporary Rural Support Uses Permitted. The new regulation, however, will be careful not to be too cumbersome, so as not to discourage such activities, which are important to rural character. The uses included in the regulation will be subject to the following provisions:

- The permit process will apply countywide to all special events held on private property and which reasonably may be expected to attract more than a specified number of persons at any one time, for example, 100 or more persons. Certain events and activities will be exempt, including:



- o Special events or activities occurring within, or upon the grounds of a private residence or farm, as long as it does not attract over the specified number of persons;
 - o Any event officially sponsored by the County or the State; and
 - o Any organized activities on sites typically intended and used for such activities, such as sporting events and tournaments at golf courses or playing fields; wedding services at reception halls or similar facilities; funeral services at funeral homes or cemeteries; and services, weddings, and funerals conducted at places of worship.
- The County will have authority to deny a Temporary Use Permit for a special event under prescribed standards if the proposed special event creates an unreasonable risk that harm may occur to property or persons; it may cause travel hazards or congestion; the location cannot reasonably accommodate the event; or it creates additional police, fire, trash removal, maintenance, or other public service demands that cannot be mitigated.
 - In the approval of a Temporary Use Permit for a special event, the County will also be given authority to impose conditions necessary to minimize adverse impacts upon other property in the area as long as the condition relates to a situation created or aggravated by the proposed special event use. The County will be authorized to require temporary parking facilities or require sanitary facilities and temporary medical facilities if, for example, the farm being used for a weekend festival, which is expected to attract 1,000 persons, has no parking or minimal parking, no sanitary facilities, and is far from medical facilities. Each special event shall be limited to a maximum duration of time, even though the regulation will provide for extensions of these limits upon written application and a finding that there will be no substantial adverse impact on surrounding property, public facilities and services.

8. EDUCATE AND ASSIST LANDOWNERS ABOUT THEIR DEVELOPMENT OPTIONS IN THE RURAL PRESERVATION AREAS.

To educate and assist rural landowners about the County's planning and regulatory program to support rural activities and development practices in the Rural Preservation Area, the County will investigate new assistance programs for rural landowners that focus, among other things, on assisting owners through the County development review process and on educating them about their options for long-term rural land preservation, conservation subdivision



development, and local or state programs and incentives that assist on-going agricultural enterprises.

- One option is for the County to appoint an Ombudsman who works and assists applicants with the development permitting processes in the Rural Preservation Area. This person is generally a planning/zoning professional hired by the County. The Ombudsman is available to work with landowners in the Rural Preservation Area on a voluntary basis to answer questions about the Zoning Ordinance and the Plan, educate them about the development process, and assist potential development applicants in the preparation of applications. This concept is employed by several local governments and seems to work fairly well while also creating good will between the local government and rural landowners.
- Another option is an in-house permit expeditor. This is a professional who does not prepare the application but can answer questions about standards and review processes and usher an application through the process to ensure there are no unexpected delays.
- The County will investigate other successful models of maintaining rural character and supporting rural landowners in the Rural Preservation Area.

9. ADOPT FAMILY SUBDIVISION EXEMPTION

In order to ensure longtime residents in the Rural Preservation Area are not penalized by the county's initiative to maintain Williamson County rural character, when they want to pass down lands to children to build homes in the Rural Preservation Area, consider the adoption of a family subdivision exemption for lands in the Rural preservation Area, to the extent allowed by law. Generally what the provision would do is exempt the transfer of certain size parcels from long-time landowners to their children.

10. BROADEN HILLSIDE STANDARDS TO REFLECT THE COMMUNITY'S AESTHETIC AND CHARACTER-BASED INTERESTS IN PROTECTING HILLSIDES AND RIDGETOPS.

Currently, the County's hillside and ridgetop protection standards (Sections 7114, 7117, and 7118 of the Zoning Ordinance) are grounded primarily in the intent to prevent property damage due to inappropriately engineered or other unsafe development practices.

To further enhance hilltop and ridgetop protection standards, and to advance the public interest in preserving unspoiled vistas, the County will, within 18



months of the adoption of the Plan, broaden the hillside, steep slope and ridgetop standards in the Zoning Ordinance to include specific development and design standards to lessen the negative aesthetic impacts hillside development in the new Rural Preservation Zoning District can have on rural character. Standards should be more vigorous regarding building setbacks from the hill top or ridgeline, building height, amount of woodland clearing permitted, and extent of grading and benching permitted for principal and accessory structures as well as private access roads.

11. ADOPT VIEW SHED PROTECTION STANDARDS ALONG THE COUNTY'S KEY HISTORIC ROADS.

To assist in the maintenance and preservation of important rural images in the Rural Preservation Area along road corridors, the County will explore the possibility of adopting view shed protection standards along key historic roads to maintain their natural and historic integrity.

The actual corridors subject to protection should be identified through a study of historic corridors that ranks those corridors based on historic integrity, view shed characteristics, prevailing land use patterns, development pressure and others. In any case, the National Park Natchez Trace Parkway should be given high priority in corridor protection efforts.

In addition, County planning staff will coordinate efforts with the appropriate county and other government offices to promote context sensitive road design, particularly in the Rural preservation Area.

12. PRESERVE THE CHARACTER AND INTEGRITY OF EXISTING VILLAGES THROUGH THE CREATION OF SPECIFIC AREA PLANS AND TAILORED DEVELOPMENT AND DESIGN STANDARDS IN A NEW "VILLAGE ZONING DISTRICT."

The Plan identifies four Villages for preservation: Leiper's Fork, Grassland, Triune and College Grove. These four villages are small historic settlements that serve as social and economic centers. The Plan recognizes it is important to maintain and protect the viability and sense of place exhibited by these villages, as well as their traditional development patterns and uses because they:

- (1) Support the local economy by providing compact locations for non-agriculturally-related commercial and service uses and general community-serving uses;
- (2) Support the tourism industry by providing compact locations for tourist accommodation and related service and retail uses; and



- (3) Provide a sense of history and support the general rural character and traditions of the surrounding area through their architectural styles and development form.

Each village has its own unique character, mix of uses, and vision for the future. Although fairly generic, the current Community Crossroads ("CC") District validates and promotes the continuance of existing rural crossroads development but does not tailor its use, bulk, and development standards to promote residents' vision for each village and preserve each village's unique character. Further, many of the CC Districts are overly large relative to the villages to which they are applied. To address this, the County will take the following actions:

- **Adopt specific area plans for each designated village.** Within four (4) years after adoption of the Plan, the County will complete specific area plans for each of the four designated Villages. One village Plan will be completed each year. The specific area plans will focus on defining and framing the distinguishing components of each Village, including land use mix, street systems, natural features, density/intensity of existing development, scale and form of development. Each specific area plan will focus primarily on preserving each Village's defining characteristics, but should also creatively seek opportunities for invigorating the economic and social vitality of these important rural places and assuring a variety of housing choices for rural County residents.
- **Amend the Zoning Ordinance to create a new "Rural Village" Zoning District.** Within 6 months of the adoption of the first Village Plan, the County will create a new "Village" Zoning District that will be mapped to replace the current CC Zoning District for each of the four designated villages. This schedule would necessitate that the Rural Village Zoning District be prepared as part of the Zoning Ordinance Update described above (thus, the Village Zoning District would be approved within 6 months of approval of the first Village Plan, concurrent with adoption of a new zoning ordinance.) This timeframe should give the County adequate time to meet and consult with village residents and other interested stakeholders about the intent and content of the new Rural Village Zoning District, and how the design and development standards might be varied as applied to each village. At a minimum, the new Village District will contain the following provisions:
 - o The district will allow a mix of small-scale commercial, industrial (limited to the production of goods, such as furniture, with hand tools only), and institutional

development, along with more intense tourist accommodation uses and services, and a variety of residential housing types.

- o To ensure the existing character of each Village is maintained as infill and new development occurs, contextual compatibility and neighborhood development standards will apply to each district.
- o The contextual compatibility standards will override the general development standards for new development, and require conformance with setback, yard and height requirements established by “average setbacks” and heights for all buildings on the same side of the street within a certain distance or within the block face.
- o Neighborhood development standards will be prepared to reinforce the existing development patterns in the Villages to the greatest extent practicable through street system/connectivity standards, requirements for variation of lot and building sizes, civic and open space standards, and standards for street trees and garage locations.
- o As the specific area plans are completed for each Village, the County will amend the Village District to modify the design and development standards applicable to each Village to reflect the plan’s findings and recommendations, and to ensure a tailored development form most consistent with the traditional development patterns of each Village.

13. ENHANCE REGULATORY PROTECTION OF EXISTING HAMLETS THROUGH CREATION OF A NEW “HAMLET” ZONING DISTRICT.

The Plan identifies the following 11 Hamlets, all located within the Plan’s designated Rural Preservation Areas, for protection and preservation:

- Arrington
- Bethesda
- Boston
- Burwood
- Fernvale
- Flat Creek
- Greenbrier
- Harpeth



- Kingfield
- Kirkland
- Rudderville.

These hamlets are very small historic settlements (smaller than Plan-designated villages), typically located at rural crossroads, which serve as social and economic centers. Hamlets may, or may not, include a small residential population, typically in a compact grouping of historic homes. Most hamlets are, or were, home to small businesses such as small grocery stores, feed stores, and institutions such as churches, post offices, lodges, elementary schools or community centers. The Plan recognizes it is important to preserve and enhance the viability and sense of place exhibited by these hamlets, as well as their traditional development patterns and uses because they:

- (1) Provide a sense of history and support the general rural character and traditions of the surrounding rural area through their historic character and form;
- (2) Support the heritage tourism industry in Williamson County by providing compact locations for small-scale tourist accommodations, such as bed and breakfast inns, and related service and retail uses; and
- (3) Provide an alternative, compact place to accommodate a limited portion of the future residential and commercial growth planned for the Rural Preservation Areas.

Each hamlet has its own unique character and mix of uses. Although fairly generic, the current Community Crossroads ("CC") District validates and promotes the continuance of existing rural crossroads development but does not tailor its use, bulk, and development standards to promote the Plan's vision for preserving and enhancing the hamlets and their unique characters. Further, many of the CC Districts are overly large relative to the hamlets to which they are applied. To address this, the County will take the following actions:

- **Amend the Zoning Ordinance to create a new "Hamlet" Zoning District.** Within 18 months of the adoption of the Plan, the County will create a new "Hamlet" Zoning District that will be mapped to replace the current CC Zoning District for the 11 identified Hamlets. This timeframe should give the County adequate time to meet and consult with current residents, business owners, and other interested stakeholders about the intent and content of the new Hamlet Zoning District, and how design and development standards might be tailored to accommodate the Plan's vision and goals for the



Hamlets. At a minimum, the new Hamlet Zoning District should contain the following provisions:

- o The district will allow a mix of small-scale commercial and institutional/civic development, along with small-scale tourist accommodation uses such as small lodges and bed and breakfast inns, as well as single-family detached and attached residential housing types.
 - o To ensure the existing character of each Hamlet is maintained as infill and new development occurs, contextual compatibility and neighborhood development standards will apply to each district.
 - o The contextual compatibility standards will override the general development standards for new development, and require conformance with setback, yard and height requirements established by "average setbacks" and heights for all buildings on the same side of the street within a certain distance or within the block face.
 - o Neighborhood development standards will be prepared to reinforce the existing development patterns in the Hamlets to the greatest extent practicable through street and sidewalk standards, pedestrian connectivity standards, building orientation standards, open space standards, and standards for street trees and residential garage locations.
 - o In order to assure the historic character and scale of the County's Hamlets, the new district should contain maximum thresholds for overall Hamlet size, mix of uses, and densities, beyond which the new Village Zoning District standards would apply instead of the Hamlet standards.
 - o If a specific area plan is completed for a Hamlet, the County will amend the Hamlet Zoning District to modify the design and development standards applicable to that specific Hamlet to reflect the plan's findings and recommendations, and to ensure a tailored development form most consistent with the traditional development patterns the Hamlet.
- **Consider Historic District designation for specific Hamlets, as desired.** The County will encourage local Hamlet residents, businesses, and other County stakeholders to explore historic district or historic building designations for some or all of the Plan-designated Hamlets, or specific buildings within the Hamlets. The



County will provide technical and planning resources and assistance as requested by residents and advocates.

14. DEVELOP STRATEGIES TO ADDRESS THE USE OF ALTERNATIVE SEWER SYSTEMS IN RURAL PRESERVATION AREAS.

Within 12 months of the Plan's adoption, the County will conduct additional evaluation and develop a specific set of action strategies to address the growing use of alternative sewer systems. The Plan recognizes the proliferation of alternative sewer systems could potentially result in sprawl patterns of ex-urban development that are clearly not consistent with the Plan's goals and objectives. Options the County will consider for possible action consistent with this Plan's vision and goals include:

- Strengthening current County standards for the construction and design of alternative sewer systems.
- Consider County creation of a Public Works Department that declares its intent to provide wastewater treatment throughout the unincorporated area.
- Alternately, work with the existing Williamson County Water and Wastewater Authority to have the Authority declare its intent to provide wastewater treatment throughout the unincorporated area.
- Permit the use of alternative treatment systems in the Rural Preservation area only under the following limited conditions:
 - o In conservation subdivision developments that are consistent with Plan goals and objectives;
 - o For replacement of existing failed wastewater treatment systems; and
 - o For use in the Villages where development is consistent with Plan goals and approved Special Area Plans.

COORDINATING THE AVAILABILITY OF PUBLIC FACILITIES WITH GROWTH

COORDINATING THE PROVISION OF PUBLIC FACILITIES WITH GROWTH

One of the goals of the Plan is to coordinate the Plan's land use and infrastructure policies by recognizing there is a difference in the type and level of infrastructure needed to support development in the Rural Preservation Area and the suburban and urban areas of the county (infrastructure needs are much more limited in the Rural Preservation Area). Once this distinction is established and incorporated in local



plans, the County will coordinate the provision of public facilities with new development.

To address these goals, the County will focus its efforts on the following planning, regulatory, and funding actions:

15. UPDATE MAJOR THOROUGHFARE PLAN SO IT PROVIDES INFRASTRUCTURE CONSISTENT WITH THE LAND USE PATTERNS AND DENSITIES PROVIDED IN THE PLAN.

Within two (2) years of adoption of the Plan, update the Major Thoroughfare Plan, based on the land use and growth estimates in the updated Plan. The Major Thoroughfare Plan will serve as the basis for the Capital Improvement Plan (CIP) discussed below. It should recognize the difference between the nature and character of roads in the Rural Preservation Area and the suburban and urban areas of the county. It should also balance the demands of designing roads for safety and efficiency with the Importance of preserving the historic, rural, and scenic character of the Rural Preservation Area. Principles of context sensitive design should be incorporated into the major Thoroughfare Plan. The Major Thoroughfare Plan will include, at a minimum, the following elements:

- Establishment of a Level of Service (LOS) standard that distinguishes between the Rural Preservation Area and the suburban and urban areas of the County;
- Identification of the existing conditions of the major thoroughfare system and, based on the established LOS standards, identification of deficiencies in service conditions (if they exist) and the costs to correct the deficiencies;
- Development of a travel demand model to estimate the demand future growth and development will have on the transportation system;
- Estimates of the capital improvement needs to accommodate new growth and development and their costs over a 5 and 20-year planning horizon;
- Identification of important historic, environmental, and scenic considerations to be addressed in the road design and development review process;
- Recommendations for administrative mechanisms to improve communications and collaboration among various county departments in the design of road improvements to ensure better coordination of road planning and land use planning; and



- Preparation of a list of capital improvements to be provided by government (local, state and federal) to accommodate new development over the 20-year planning horizon and their costs.

16. PREPARE CAPITAL IMPROVEMENT PLANS (CIPs) FOR TRANSPORTATION FACILITIES AND PARK FACILITIES THAT PROVIDE INFRASTRUCTURE CONSISTENT WITH THE LAND USE PATTERNS AND DENSITIES PROVIDED IN THE PLAN.

Within two (2) years of adoption of the Plan, the County will prepare Capital Improvement Plans (CIPs) for the following Public Facilities: ⁸

- Transportation facilities; and
- Park facilities.

The CIPs will include, at a minimum, the following elements:

- Establishment of a Level of Service (LOS) standard that gives the expectation of having rural services (and roads) in the Rural Preservation Area;
- Establishment of a LOS standard that gives the expectation of having higher level of services when in the suburban and urban areas of the County;
- Identification of the existing conditions of the public facilities, based on the established LOS, any deficiencies in service conditions (if they exist), and the costs to correct the deficiencies;
- Estimates of the capital improvement needs to accommodate new growth and development, and their costs, over a five (5) year planning horizon;
- Preparation of a specific list of capital improvements to be provided by government to accommodate new development over the next five (5) years (Five Year CIP), which shall be updated annually; and
- A financially feasible program to fund the capital improvements identified in the Five-Year CIP.

⁸ The CIPs are more specific and definite in terms of the capital improvement needs identified, and include a program to fund the capital improvements.

17. ESTABLISH POLICIES THAT ONLY ALLOW NEW DEVELOPMENT WHERE THERE WILL BE ADEQUATE TRANSPORTATION, POTABLE WATER, AND WASTEWATER TO SERVE THE DEVELOPMENT.

The County will maintain its existing policies that adequate potable water and wastewater treatment facility capacity be available to serve new growth prior to development.

Within two (2) years of adoption of the Plan, the County will consider whether it is more appropriate to maintain the existing traffic shed system to determine transportation adequacy or develop an Adequate Public Facilities Program for Transportation facilities. If established, the Adequate Public Facilities Program for Transportation shall require:

- A Capital Improvement Plan (CIP) that:
 - Establishes an LOS to evaluate the conditions of existing infrastructure, identifies deficiencies, and the capital costs to correct deficiencies;
 - Identifies the capital improvements to provide adequate capacity for new growth and development; and
 - Is financially feasible so there is funding to provide the needed capital improvements to accommodate new growth and development and to correct deficiencies.
- A monitoring program that annually monitors/measures capacity and demand conditions on the transportation system subject to the Transportation Adequate Public Facilities Program; and
- An ordinance that evaluates development and ensures development is not approved unless adequate capacity is available to accommodate it.

In addition, within two (2) years of adoption of the Plan, the County will consider preparation of an access management plan for the suburban and urban areas of the County that results in a more efficient road system. The access management plan will include, but is not limited to: physically limiting points of access to arterial roads, signal spacing requirements, driveway design requirements, shared driveway access, use of acceleration and deceleration lanes, and enhanced connectivity requirements.

PAYING FOR GROWTH

18. ESTABLISH A MULTI-DIMENSIONAL STRATEGY BY WHICH THE TRANSPORTATION FACILITIES AND PARK FACILITIES NEEDED TO ACCOMMODATE NEW GROWTH AND DEVELOPMENT ARE FUNDED.

Within two (2) years of adoption of the Plan, the County will develop a strategy to adequately fund the needed capital improvements for Transportation



facilities and Park facilities. The strategy will consider and, if appropriate, use several funding sources. It will be designed to be flexible so it can change as conditions change. A strong emphasis should be placed on the concept of having new development “pay its own way.” Development of this funding strategy is important if the County’s CIPs are to be financially feasible.

Priority for funding for Transportation facilities should focus on four funding sources:

- State funds;
- Privilege taxes (adequate facilities taxes); ⁹
- Impact fees;¹⁰ and
- Property taxes.¹¹

Priority for funding for Park facilities should focus on three funding sources:

- Privilege taxes;
- Impact fees; and

⁹ Williamson County is authorized to impose a Privilege Tax (or adequate facilities tax) on new development to offset the cost of growth on the county’s infrastructure (Private Acts of 1987, Chapter 118). The maximum Privilege Tax authorized is \$1.00 per square foot on new residential development and \$2.00 per square foot on new non-residential development. Today the privilege tax assessed to offset the cost of growth on the County’s infrastructure is \$1.00 per square foot on new residential development and \$0.34 per square foot on new commercial development. The privilege tax is assessed in the unincorporated county and in all six (6) municipalities. Today, Privilege Tax revenues are being used for schools, roads, parks, and fire protection services, even though the majority of revenues (approximately 70%) go to schools (20% is being used for roads).

It should also be noted that Williamson County is also authorized to impose an Adequate School Facilities Tax on new residential and nonresidential development, up to \$1.00 per square foot. (Adequate School Facilities Tax, Private Acts of 1987, Chapter 113).

¹⁰ An impact fee is a land use regulatory tool used by a local government that exacts a fair share fee on new development based on the costs the local government will incur to fund capital infrastructure to accommodate new development. In determining the reasonableness of these one-time fees, the analysis that supports the fee should demonstrate that: 1) new capital facilities are needed as a consequence of new development; 2) the fees exacted are a proportionate share of the government's cost to provide the facilities; and 3) revenues are managed and expended in such a way that new development receives a sufficient benefit.

Williamson County is authorized, through special enabling legislation (Williamson County Construction Impact Fee Act, Private Acts of 1987, Chapter 120), to impose impact fees for roads, schools, parks, waterworks, water distribution systems, sewage, storm water and drainage systems. The legislation requires that the developer can be asked to pay...“an impact fee that does not exceed a pro rata share of the reasonably anticipated cost of the public improvements created by the new land development activity.” (Section 5).

¹¹ The property tax is the ad valorem tax imposed by the County. The property tax is a general revenue source, and funds generated by the property tax may be used by the County for capital road improvements (as well as road maintenance).



- Property taxes.

OPEN SPACE PROTECTION

OPEN SPACE PLAN

The protection and preservation of open space within the Rural Preservation Area and the suburban and urban areas of the county is an important goal of the Plan. The Plan supports multiple goals in order to achieve this, including maintaining the County's rural character and protecting natural resources and cultural/historical resources. To achieve these goals, the County will undertake the following implementation actions:

19. PREPARE AN OPEN SPACE PLAN FOR THE COUNTY THAT COORDINATES EXISTING POLICIES AND PROGRAMS FOR OPEN SPACE PRESERVATION, AND LINKS CONSERVATION AND OPEN SPACE LANDS.

Within two (2) years of adoption of the Plan, the County will prepare an Open Space Plan. To the maximum extent possible, the Open Space Plan will be coordinated with the cities in the County. The Open Space Plan will integrate the concepts of rural protection, natural resource protection, and recreation for the public. The Open Space Plan will:

- **Establish criteria for the identification of open space lands in the county.** Place an emphasis on conservation areas (wildlife habitat areas, floodplains, steep slopes, karst areas); trails, parks, and outdoor recreation areas; lands that support the maintenance of rural character in the Rural Preservation Area; and the linkage of conservation and open space lands. A ranking system will also be established during the planning process, based on the intrinsic values of the county's citizens in regard to open space, which will be instrumental in guiding future County actions with respect to open space acquisition. The ranking system should also be used to guide the County's regulatory open space standards by directing preservation of the highest ranked lands.
- **Inventory existing open space lands based on the established criteria.**
- **Prepare a plan for the integration of open space lands based on the established criteria and priority rankings.**
- **Identify public education tools to inform land owners and others of alternative mechanisms to preserve open space.**

20. EXPLORE THE ESTABLISHMENT OF DEDICATED FUNDING SOURCES FOR OPEN SPACES.

In addition and in conjunction with preparation of the Open Space Plan, within two (2) years of adoption of the Plan, the County will develop a strategy for the



creation of a permanent, dedicated funding source to acquire strategic open space lands, consistent with the Open Space Plan (e.g., through a bond issue, impact fees, sales tax or real estate transfer fee, or other alternative funding mechanisms).

PRESERVATION OF OPEN SPACE IN THE RURAL AREA

21. PRESERVE OPEN SPACE IN THE RURAL PRESERVATION AREA THROUGH ZONING AND LAND USE CONTROLS.

Within 18 months of the adoption of the Plan, the County will amend the Zoning Ordinance to assist in the preservation of open space in the Rural Preservation Area by:

- **Adding a conservation subdivision provision**, which will be either optional or mandatory, based on the option selected for single-family residential development in the Rural Preservation Areas.¹² The conservation subdivision is designed to permit single-family residential development that allows variations in lot area and setback standards when a large portion of the development site is set-aside as open space, where natural features are protected and agricultural activities can occur. Generally, a conservation subdivision has three primary characteristics: smaller building lots; more open space; and protection of natural features and agricultural activities. Within this framework, the rules for site development emphasize setting aside and conserving the most sensitive areas of a site, with the development of building lots on the remaining, less sensitive areas. (see Appendix 1 for a more detailed explanation of conservation subdivision.)
- **Including provisions that provide for additional protection of natural resource areas.**¹³

PRESERVATION OF OPEN SPACE IN THE URBAN AND SUBURBAN AREAS

22. PRESERVE OPEN SPACE IN THE MUNICIPAL GROWTH AREAS.

Implementation of the lower densities recommended by this Plan within the MGAs will be the County's primary strategy to preserve open lands in the municipal growth areas while such lands are under the County's land use control. The County will hold such land, and maintain the recommended low

¹² For a detailed discussion of the conservation subdivision process being proposed, see *Maintaining Rural Character in Rural Preservation Area* in Land Use Patterns.

¹³ See the strategies discussed in this chapter's section on *Natural Resource Protection*.



densities, until a city annexes the land and applies its own development and open space standards.

23. PRESERVE OPEN SPACE IN THE SUBURBAN AREAS THROUGH LAND USE CONTROLS.

- **Amend the Zoning Ordinance to establish mandatory open space set-aside requirements inside the Planned Growth Areas.** Open space will be maintained within the PGAs by amending the Zoning Ordinance within 18 months of adoption of the Plan to establish minimum open space set-aside standards for all development (between 15%-25%). A target open space preservation effort will also be initiated in the PGAs to protect scenic or environmentally sensitive areas, such as hillsides.
- **Prioritize the types of lands to be set-aside for open space.** New open space set-aside standards will also prioritize the types of lands to be set-aside for open space and include location and design criteria for open space usability, contiguity, and the protection of natural resources. The regulations will also include provisions for ownership and maintenance of open space set-asides to ensure that a specified entity, such as a homeowners association, is responsible for maintenance of common areas and improvements and can be held accountable. A payment-in-lieu system for sites which are small or located in areas where an open space set-aside will have very little benefit will also be considered. In these cases, a developer could provide a payment in-lieu of providing the open space land set-aside.

Natural Resource Protection

A fundamental principle in the Plan's goals for the County's Rural Preservation Areas is the continued, vigorous protection of natural resources and open space lands. The County's current approach toward natural resource protection, while progressive for its time and relatively successful in effect, relies on a formulaic method of quantifying the quality and extent of a site's natural resources and using those results to decrease the maximum density on a site. This approach is too complicated and often not flexible enough to account for varying degrees of resource quality and significance from one site to the next. The implementation strategies will seek to move the County to the next generation of tools for natural resource protection – tools that build on the strengths of the current system, but ones which both landowners and county decision-makers should find much simpler to understand and apply.

The County will take the following actions to implement the natural resource protection goals:

24. CONSERVE AND PROTECT NATURAL RESOURCES THROUGH ENHANCED ZONING AND LAND USE CONTROLS.

Within 18 months of adoption of the Plan, the natural resource protection standards will be simplified and strengthened through a framework of updated resource protection standards (applicable countywide), and new open space set-aside standards, and an enhanced conservation subdivision mechanism that will support the natural resource protection standards using the following:

- **Deleting the natural resource adjustment formulas.** The “natural resource adjustment” formulas in Section 5210 of the Zoning Ordinance will be deleted and replaced by the conservation subdivision and open space set-aside standards. The natural resource protection standards in Article VII of the Zoning Ordinance will be retained, revised, and supplemented as described in the next suggested implementation strategy. These steps, together, will simplify the County’s current approach to natural resource protection.
- **Adding new or revising existing zoning standards to ensure the maximum protection of natural resources in the County.** The natural resource standards and regulations will be updated as follows:
 - o Review stream corridor protection standards. The Williamson County Stormwater Regulations provides for the protection of “Waters of the State” any where from 50 to 100 feet from the top of the bank. The range of protection is based on upstream drainage areas. Because the regulations were only enacted in 2005, sufficient time has not yet passed to determine their overall effectiveness. The developmental setback noted above shall be reviewed in conjunction with development of the revised Zoning Ordinance to ensure the setbacks are achieving the most effective water quality results as well as protection of wildlife habitat.
 - o Modify the steep slope protection standards. The steep slope regulations (slopes 15% and greater) will be revised to incorporate best practices in controlling the adverse impacts of hillside development. Most important will be a prohibition of land disturbing activity on 30% or steeper slopes (except for limited runs of roadway or access drives) – a standard approach to hillside protection in many communities throughout the country. Other revisions may include more specific limits on grading, terracing, and

benching to encourage more site-sensitive building designs.

- o Carry forward current floodplain protection standard. The current protection standards for floodplain will be carried forward without change.
- o Adopt new wetland protection standards. The County will adopt a clear and concise definition of “wetlands” tailored to Williamson County conditions, and adopt minimum protection standards. Protection standards may include adoption of a “no net loss” policy; prohibition of filling, dredging, or clearing of designated wetlands; and minimum buffers and development setbacks.
- o Adopt new standards to protect significant trees on individual building lots. While the existing woodlands protection standards (Section 7112 of the Zoning Ordinance) achieve significant protection of young and established woodlands at the subdivision design level, once individual lots are sold, standards are not in place to assure the long-term protection of significant trees and stands of trees located on an owner’s private property. New regulations will be prepared that address the preservation of significant trees, or significant stands of trees, by – for example – mandating the preservation of all healthy trees that are over a certain size (i.e., over a specified “dbh” or “diameter at breast height,” expressed in inches), or through other means (e.g., protection of a certain percentage of exiting canopy on a site).
- o Adopt heightened karst protection standards. Section 7116 of the Zoning Ordinance, which provides limited protection for sinkholes, will be revised into a comprehensive set of protection standards for karst terrain and critical karst features.
 - Accordingly, new regulations will provide minimum 100-foot “no disturbance” buffers around critical karst land forms that may permit infiltration of surface water to underground cavities or channels, including but not limited to caves, sinkholes, significant fissures/cracks, vadose shafts, or other karst anomaly. Land disturbing activities will be strictly controlled within the buffer. On-site septic systems and

other means of wastewater disposal will be prohibited within the buffer area.

- The County should also consider the use of additional protective measures including, but not limited to: reduced density or intensity of development; reduced impervious surface coverage; use of conservation subdivisions in these areas; and prohibited uses or activities near critical karst features.
- **Adopting new open space set-aside standards for suburban and urban development inside the PGAs.** As discussed under the strategies for *Preservation of Open Space in the Urban and Suburban Areas* in Open Space Protection, the County will take steps to adopt and apply mandatory open space set-aside requirements within the PGAs. The open space set-aside standards will support the natural resource protection standards by crediting the preservation of significant natural resources toward the required set-aside amount.
- **Adopting enhanced conservation subdivision provisions.** In the Rural Preservation Area, conservation subdivisions will be either optional or mandatory depending on the selection of options discussed in the section on *Maintaining Rural Character in Rural Preservation Area* in Land Use Patterns. The conservation subdivision standards will support countywide goals for natural resource protection. The standards will emphasize the set-aside and permanent conservation of the most highly valued natural resources on a site where building lots will be placed on the remaining less sensitive areas.

25. CONSERVE AND PROTECT NATURAL RESOURCES THROUGH COOPERATION WITH NON-GOVERNMENTAL STAKEHOLDERS.

Within one (1) year after adoption of the Plan, the County will take the following actions to conserve natural resources through cooperation with private parties, organizations, and other non-governmental stakeholders:

- **The County will contact land trust organizations active in Williamson County and seek to coordinate their programs with the County's open space and natural resource goals.** The County will promote the Plan's goals and policies to these organizations and explore sharing resources and information so that land trust activities might target dedications or conservation easements for environmentally sensitive areas. **Special**



emphasis will be placed on coordinating county actions and relationships related to open space preservation with the Tennessee Land Trust

26. DEVELOP OTHER NON-REGULATORY PROGRAMS FOR NATURAL RESOURCE CONSERVATION AND PROTECTION.

- **Develop a strategy for the creation of a permanent, dedicated funding source** to acquire strategic open space and natural resource lands, consistent with the Plan (see discussion under Open Space Protection).
- **Place more emphasis on environmental education** by considering the dedication of more resources to educational programs similar to the County's existing stormwater education program. Ultimately, devoting more resources to education in the short term may help reduce long-term enforcement challenges. Examples of possible education programs that will be considered include:
 - o Open Space Education Programs for Landowners. Education for private landowners regarding the range of land conservation incentives and other programs available to them to encourage open space and natural resource protection (e.g., tax relief programs, easement sale/donation options). One approach may be to develop manuals summarizing different programs that can help landowners understand the rules, benefits, and relief offered to promote open space and natural resource protection goals.
 - o General Environmental Education for Students. Educational programs developed in cooperation with local schools to provide environmental education activities that increase awareness, understanding, appreciation and support for stewardship of natural resources. Such efforts should complement and integrate the County's current Stormwater Education Program.

HISTORIC/CULTURAL/ARCHEOLOGICAL RESOURCE PROTECTION

The preservation of Williamson County's historic resources is an essential component of the Plan's overall goal of preserving rural character in the Rural Preservation Area. Historic and cultural resources in the Rural Preservation Area are integral to the integrity of the landscape and to the experience of visitors and residents alike. Within the suburban and urban areas, preservation of existing historic sites and resources is also a high priority in perpetuating and commemorating the unique history of place, but will be recognized on a smaller-scale, site-by-site basis.



To implement these goals, the County will take the following actions:

27. APPROACH HISTORIC, CULTURAL AND ARCHEOLOGICAL RESOURCE PROTECTION COMPREHENSIVELY.

- **Adopt a comprehensive, planned approach to historic and cultural resource preservation in the County.** Within five (5) years after adoption of the Plan, the County will prepare a historic preservation plan for the unincorporated parts of the county, with particular focus and emphasis on historic resource conservation in the Rural Preservation Area. This plan will, at a minimum, include:
 - o An inventory of historic, cultural sites, and archeological resources and a methodology for prioritizing the significance of each resource;
 - o An analysis of whether any of the inventoried sites and resources may be eligible for listing on the National Register of Historic Places or the Tennessee Register of Historic Sites, either as districts or individual landmarks;
 - o An evaluation of what specific regulatory and non-regulatory tools are appropriate to implement the Plan's recommendations and preserve the identified historic/cultural resources. This evaluation should include a recommendation as to whether the County should adopt a comprehensive local Historic Preservation Ordinance and/or specific historic preservation design standards and guidelines;
 - o General recommendations for the format and substantive content of any design standards and guidelines found necessary for the effective protection of significant historic and cultural resources in the County; and Recommendations for the administrative mechanism (i.e., staff, existing boards, creation of a new board) to oversee implementation of the plan.

28. CONSERVE AND PROTECT HISTORIC, CULTURAL AND ARCHEOLOGICAL RESOURCES THROUGH ENHANCED LAND USE CONTROLS.

- **Revise the current historic site protection standards as necessary.** Section 7120 of the Zoning Ordinance establishes protection for a list of 78 different historic sites located in the unincorporated County. The existing protection standards ensure design review of new development proposed adjacent to an existing historic structure or site as well as architectural review of proposed exterior



modifications to an existing historic structure. However, the regulations provide few specific building design guidelines or requirements to guide property owners in their development plans. Moreover, nothing in the regulations prevent the demolition of an identified historic structure.

Thus, either to implement the recommendations in a completed historic preservation plan, or as interim protection measures, the **County will amend the historic site protection standards to provide greater certainty** to property owners as to what “appropriate” development is **and to prohibit the demolition** of an identified historic structure without prior County review and approval. In addition, a prohibition of “demolition by neglect” (using the national guidelines as a model) will be added to the regulations.

The integration of freestanding historic lands, sites, structures, and archeological sites will be maintained either by buffering them from new development or by integrating them into new development in ways that respect their historical or archeological integrity.

- Buffers should be located adjacent to (but not within) historic sites, and should have a minimum width of approximately 75 feet. Buffers should be approximately six (6) feet above grade composed of natural undisturbed vegetation, newly planted vegetation supplemented with an opaque fence or wall, topographic contours, or a combination thereof.
- Integrating the historic or cultural resource into the development can be an effective alternative to buffering if the resource is given a prominent location in the development, the design of buildings and sites within view of the resource are compatible to its scale and architectural character, and pedestrian access to the resource is maintained.
- **Evaluate the success of the Historic Site TDR Program, and revise as necessary.** Section 5270 of the Zoning Ordinance establishes a transfer of development rights program for the specific purpose of creating an economic incentive to preserve identified historic sites. Evaluation of Section 5270 of the Zoning Ordinance will occur in conjunction with consideration of an overall TDR strategy as discussed earlier in this chapter.
- **Adopt view shed protection standards for key historic roads.** As described in the strategies for *Maintaining Rural Character in the Rural Area* in Land Use Patterns, the County will explore the possibility of adopting view shed protection standards along key



historic roads to maintain the natural and historical integrity of these roadways.

- **Encourage the adaptive reuse of historic structures in the Rural Preservation Area.** The County supports the creation of a variety of opportunities for rural commercial, employment, and institutional activities that preserve rural character and that are compatible with the dominant rural land use pattern in the Rural Preservation Area. Appropriate rural business uses include bed and breakfast enterprises, country inns, rural retreats and resorts, private camps and parks, farm markets, wayside stands, small businesses, rural corporate retreats, small corporate office and training facilities, private schools or medical facilities, private conference centers, meeting facilities, and similar types of uses. Where possible, the County will encourage and provide incentives so that such uses locate in existing historic and/or agricultural structures.
- **Adopt conservation subdivision provisions.** Adding a conservation subdivision provision, whether optional or mandatory, will further historic, cultural and archeological resource protection goals. The open space element of a conservation subdivision is designed to protect not only open spaces and natural resources but significant historic and cultural resources as well. Accordingly, the rules for site development under conservation subdivision provisions will emphasize setting aside and conserving the most highly significant historic or cultural resources on a site (secondary, however, to the protection of sensitive environmental areas), with the development of building lots on the remaining less sensitive areas.

APPENDIX 1

CONSERVATION SUBDIVISION

Conservation subdivisions permit single-family residential development with reductions in lot area and setback standards, in return for the landowner setting aside a large portion of the site in open space. Generally, a conservation subdivision has three primary characteristics: smaller building lots; more open space; and protection of natural features. The rules for site development emphasizes setting aside and conserving the most sensitive areas of a site, with the development of building lots on the remaining less sensitive areas. In most cases, by locating development on smaller lots and maintaining open space, a landowner can achieve similar densities as with a conventional subdivision. The additional open space, the protection of natural features, and a more compact development form benefit both the residents and the greater public. Conservation subdivisions implement Williamson County's land use planning goals by helping residential development in the Rural Area maintain rural character and open space, encourage compact development form, and preserve natural features. The actual process of designing a conservation subdivision typically involves the following four basic steps:

Step 1: Resource Analysis/Mapping

The applicant identifies significant natural and cultural resources on the site. These are two basic categories of resources: (1) Primary conservation areas and (2) secondary conservation areas. Primary conservation areas include lakes, wetlands, floodplains, sinkholes and sinkhole features, streams, river corridors, lands with steep slopes, wildlife habitat, significant vegetation, historic buildings, and archeological sites. Secondary conservation areas include areas of active agricultural activity, land with scenic vistas, and lands with recreation opportunities. The applicant also produces mapping showing resources and open space on neighboring parcels.

Step 2: Site Visit

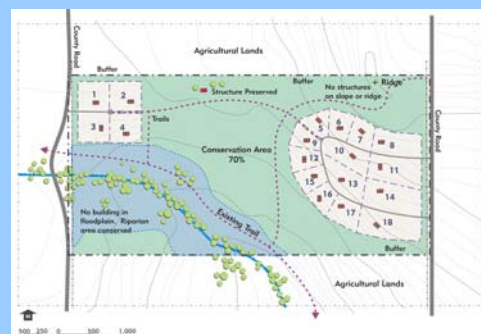
County staff and the applicant visit the development site to see first hand where resources exist and to understand the lay of the land and what areas might be suitable for development sites. The relationship to surrounding parcels is also examined.

Step 3: Delineation of Conservation and Development Areas

The applicant produces a map that depicts primary and secondary conservation areas and open space as well as areas suitable for development (the development delineation area or the yield plan).

Step 4: Submission of Conservation Design Plan

The applicant submits a conservation subdivision plat showing primary and secondary conservation areas and open space on the site, along with the development pods where the single family cluster lots would be located. Areas suitable for development are specifically delineated as well as other areas that will be disturbed for accessory structures and uses, septic fields, roads, trails, and utilities. Where applicable, lot lines would be shown on the conservation subdivision plat. The full development density permitted by the zoning district for the entire site would be allowed within the development delineation area.



A conservation subdivision plan with 18 building lots and 70% of the parcel conserved as open space. Natural and cultural features on the site (stream corridor, ridgeline, and original farmhouse) are undisturbed.

APPENDIX 2

PURCHASE OF DEVELOPMENT RIGHTS

The Purchase of Development Rights (PDR) concept is an approach to preserving and protecting agricultural lands, environmentally-sensitive areas, and other open spaces through the purchase of a portion of the property rights associated with the land. Typically, the ownership of land includes the possession of a bundle of property rights associated with the land, including: possession, use, modification, development, lease, or sale of the land (or a portion thereof). The ability to extract resources, such as minerals, is an example of one of the rights included within the bundle. A landowner may separate the right to extract minerals, and transfer that ability to another party. After transferring these rights, the landowner is prohibited from exercising them during the term of the agreement. The PDR system operates in exactly the same way, except that the right to develop the land is the right that is transferred by the owner to another party. As is the case in the mineral rights example, following a PDR transaction, the landowner still retains fee simple ownership of the land, and possesses the remaining rights associated with the land (including occupation, use, and sale), but within a PDR system, the ability to develop the land is extinguished for the duration of the term (which is often in perpetuity).

In most cases, the community or other agency seeking to purchase the development rights acquires a legal easement from the landowner that is often referred to as a conservation easement, or an obstacle to future development that is placed on the deed and referred to as a restrictive covenant or deed restriction. These easements or restrictions can work to limit all, some, or a portion of the allowable development based upon the objectives of the purchaser. For example, a conservation easement might be designed to allow a farmer to continue farming, and even construct and sell an additional dwelling provided such activity does not impede the ability to successfully farm the land.

How the system works:

After obtaining enabling legislation, a local government typically appoints a board or other body to manage the system. The primary functions of the board include reviewing applications from those seeking to sell property rights, obtaining appraisals, prioritizing lands for acquisition, negotiating agreements for selected lands, and ensuring enforcement of the easement terms. Appraisals are used to determine the value of the development rights being purchased. The value of development rights represents the difference between the land's value with and without the easement. For example, a 100 acre farm may be worth \$10,000 per acre if sold for a residential subdivision, but only \$3,000 per acre with the restrictive easement. This means that the development rights cost 7,000 per acre, or \$700,000 for the entire farm. Actual purchases by the community or agency should take place under the guidelines of an established plan, and often work best when crafted to create large uninterrupted areas of agriculture or open space instead of smaller sites in a scattered arrangement.

Benefits:

The key benefit to the PDR system is that it is voluntary, and as such, no one is coerced into giving up development rights. From the perspective of a local government, a PDR system is a very cost-effective way to control the future of the land since it does not require expenditures for fee simple interest or maintenance costs. In addition, the system is flexible and allows the local government to control types of subsequent development, and how or when development can occur (if at all). It is also a technique that allows a landowner to obtain equity value from the land while keeping it in its productive or natural state. The PDR system also helps ensure continued agricultural use by lowering the taxable value of the land.

Disadvantages:

One major disadvantage of the program is that local governments must typically provide the money for purchases "up front", which can be a strain on budgetary resources. Often, such programs must be established in an area before explosive development potential drives up land values; thus timing is a key issue. Additionally, the program is almost always funded by some form of tax (property taxes, excises taxes, sales taxes, etc.) which can be unpopular with constituents. Since the program is voluntary, a local government has little means of controlling which lands are brought into the system. Since the PDR system relies on easements or other controls, it has little control over the landowner's ultimate disposition of the land. Finally, while the PDR system does avoid many of the long term maintenance costs associated with fee simple acquisition, the local jurisdiction must still assure enforcement of the easement's terms, and unenforced easement rights may be forfeited through neglect.

APPENDIX 3

TRANSFERABLE DEVELOPMENT RIGHTS

Transfer of development rights (TDR) programs are attracting increasing attention throughout the United States. Many once-rural communities are growing rapidly and are looking for ways to balance resource and open space protection with concern over property rights. When designed correctly, TDR programs, which seek to shift permissible development densities from unsuitable development areas to more appropriate sites, can be an effective growth management tool. By creating off-site “receiving area” markets for the sale of unused development rights, TDR programs encourage the maintenance of low-density land uses, open spaces, historical features, critical environmental resources, and other sensitive features of designated “sending areas.” Where a landowner in a sending area sells development rights to another landowner in a receiving area, the purchaser thereby augments the latter’s development rights in excess of the otherwise permissible limits. In this manner, local governments can protect a variety of sensitive features while providing a mechanism to help offset any perceived diminution in land development potential. A successful TDR program incorporates the following three essential elements:

Sending Areas: Resources for Protection

The first step in creating a TDR program is the identification of valued resources and the designation of an area for the protection of such resources. This is the “sending area.” Where development pressures threaten resources in the sending area, the TDR program enables landowners to transfer development rights to other locations, thus directing growth pressures away from the sending area. Where TDR programs are mandatory, the program restricts the landowner’s development rights, allowing landowners to realize land value only through transfers. In voluntary TDR programs, sending area landowners participate in density transfers at their option; where they do not undertake density transfers, they retain their land development rights.

Receiving Areas: Density Incentives

In a strong market, the developer seeks to maximize the intensity of development projects, and thus possesses an incentive to purchase additional development rights. Capitalizing on this incentive, a TDR program identifies those areas in which development can occur at relatively high densities without threatening valued resources or community character. In these designated “receiving areas,” the program awards developers increased density allowances in exchange for their purchase of TDRs from landowners in sending areas.

Allocation of Transferable Rights in Sending Areas and Receiving Areas

The TDR program must set forth formulas for allocating the amount of development rights that will be available to sending area landowners and receiving area projects. In order to negotiate a TDR transaction, the sending area landowner must understand *how many* development rights can be conveyed. Similarly, the receiving area purchaser must understand how much each purchased TDR will increase permissible development densities. Simple ratios setting forth TDRs/acre for sending areas and density bonus/TDR for receiving areas satisfy the basic program requirement. These ratios will be essential to the participants’ basic understanding of how TDR transactions will benefit them; without this understanding, all parties will be reluctant to participate in TDR transactions.

The core elements set forth above provide the framework for a basic TDR program. Sending area landowners sell TDRs on the open market to receiving area developers, or to a government-administered TDR “bank” or clearinghouse. Where such transactions occur, the seller records a permanent easement on the property deed, permanently reducing development rights in the amount transferred. Upon application for development approvals, the developer then submits evidence of the TDR transaction to the approving agency, and thereby obtains permission to increase the density of the development accordingly.